



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

OCT 03 2016

REPLY TO THE ATTENTION OF:
E-19J

Lisa Williams
U.S. Fish and Wildlife Service
East Lansing Field Office
2651 Coolidge Road East
East Lansing, Michigan 48823

RE: Final Restoration Plan and Programmatic Environmental Impact Statement: Restoration Resulting from the Kalamazoo River Natural Resource Damage Assessment; Allegan and Kalamazoo Counties, Michigan (CEQ # 20160198)

Dear Ms. Williams:

The U.S. Environmental Protection Agency has reviewed the Final Restoration Plan and Programmatic Environmental Impact Statement (hereafter: FPEIS) for the Kalamazoo River Natural Resource Damage Assessment in Allegan and Kalamazoo Counties, Michigan. This letter provides EPA's comments on the FPEIS, pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

Natural resources in Michigan have been injured by releases of polychlorinated biphenyls (PCBs) from historic Kalamazoo-area paper mills that contaminated natural resources in and near Portage Creek and the Kalamazoo River. These PCBs have migrated downstream in surface waters and have contaminated sediments, the water column, and biota in and adjacent to the lower three miles of Portage Creek, approximately 80 miles of the Kalamazoo River, and Lake Michigan.

The Michigan Department of Natural Resources, the Michigan Department of Environmental Quality, the Michigan Attorney General, the U.S. Fish and Wildlife Service, and the National Oceanic and Atmospheric Administration, collectively referred to as the Trustees, have been working to determine the extent of injuries to natural resources caused by these releases of PCBs. The Trustees have also been studying how to restore these injured natural resources and the services they provide to both other natural resources and the public. This evaluation is known as a natural resource damage assessment (NRDA), which is authorized under the Comprehensive Environmental Response, Compensation, and Liability Act (more commonly known as the federal "Superfund" law¹).

The Draft and Final Programmatic EIS documents were prepared to evaluate the impacts of broad issues and programmatic-level alternatives (as opposed to a document for a specific project or

¹ 42 United States Code (U.S.C.) §§ 9601-9675

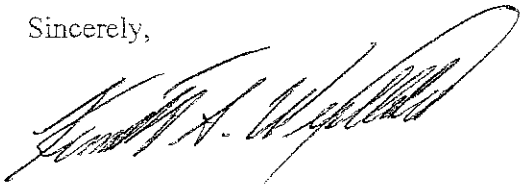
action), and provide guidance for future restoration activities to be carried out by, or conducted under the oversight of, the Trustees under their proposed restoration program.

Both the DPEIS and FPEIS analyzed three alternatives: a No Action alternative (Alternative A), and two restoration alternatives (Alternative B and Alternative C) that differed in geographic scope. Alternative B includes restoration projects conducted only on the Kalamazoo River and Portage Creek within the Kalamazoo River Superfund Site. Alternative C includes all the categories of projects outlined in Alternative B, but also includes restoration projects conducted in the broader Kalamazoo River watershed to create an alternative source for the ecological services lost or injured by the release of PCBs into the watershed. In the DPEIS, the Trustees identified Alternative C as their preferred alternative because it allows the most flexibility to meet the restoration objectives, both in terms of geographic locations and timing. This Preferred Alternative was also recommended in the FPEIS.

EPA provided comments on the DPEIS to the Trustees on October 26, 2015. EPA appreciates NOAA's diligence in responding to public comments raised during the DPEIS comment period and to the level of detail provided in response to EPA's comments and other public comments received. Specifically, all of the comments raised by EPA in our DPEIS comment letter had a thorough response provided. EPA understands that specific design details and maintenance and monitoring plans for projects are still forthcoming as specific NRDA projects continue to be designed.

We reiterate that EPA is in full support of the project and NRDA remediation activities, and have no substantive comments on the preferred alternative as selected or on the FPEIS. Thank you for the opportunity to review and provide comments on this FPEIS. Please send a signed copy of the Record of Decision to the Region 5 NEPA program once it is signed and available. If you have any questions about this letter, please contact the lead NEPA Reviewer for this project, Ms. Liz Pelloso, PWS, at 312-886-7425 or via email at pelloso.elizabeth@epa.gov.

Sincerely,



Kenneth A. Westlake, Chief
NEPA Implementation Section
Office of Enforcement and Compliance Assurance

cc:

Todd Goeks, NOAA
Jeff Shenot, NOAA
Julie Sims, NOAA
Judith Alfano, MDEQ
Paul Bucholtz, MDEQ
Derek Haroldson, MDEQ
Mark Schieber, MDEQ
Jessica Mistak, MDNR